

1c571 U.S. PRO
09/514930
02/28/00

02/28/00

**NEW PLANT PATENT
APPLICATION TRANSMITTAL**

(to be used for new applications only)

Attorney Docket Number

First Named Inventor

Christopher B. Howe

Total Pages in this Submission

APPLICATION ELEMENTS

Notice: Checklist items mentioned under Application Elements section construct a new plant patent application. Please refer to MPEP Sections 506, 601, 1600 (37 CFR 1.53, 35 USC 111, 112, 113) for detailed explanation regarding completeness of an original plant application.

ACCOMPANYING APPLICATION PARTS1. ☒ Fee Transmittal Form (prescribed filing fee(s))

2. Specification

☒ Title of the Invention (with Plant's name)☒ Cross References to Related Applications (if applicable)☐ Statement Regarding Federally-sponsored Research/Development (if applicable)☒ Background of the Invention☒ Brief Summary of the Invention☒ Brief Description of the Drawings☒ Detailed Botanical Description☒ Claim☒ Abstract of the Disclosure3. ☒ Drawing(s) in duplicate (as prescribed by 35 USC 165)4. ☒ Executed Declaration5. ☒ Plant Color Coding Sheet6. ☒ Assignment Papers7. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)8. ☐ English Translation Document (if applicable)9. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations10. ☐ Petition Checklist and Accompanying Petition11. ☐ Preliminary Amendment12. ☐ Proprietary Information13. ☒ Return Receipt Postcard14. ☒ Small Entity Statement15. ☐ Additional Enclosures (please identify below):**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

or

Individual name

Hortech, Inc. - David S. MacKenzie, General Manager

Signature

Date

2-15-2000

FOR OFFICIAL USE ONLY

Application Number		Class		Independent Claims	
Date of Receipt	Application Type	GAU		Total Claims	
	Filing Date	Foreign Filing License?		Drawing Sheets	
	Small Entity	Foreign Address?		Special Handling?	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEE TRANSMITTAL

Complete if Known

TOTAL AMOUNT OF PAYMENT (\$)

Application Number

Filing Date

2-15-2000

First Named Inventor

Christopher B. Howe

Group Art Unit

Examiner Name

Attorney Docket Number

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
NumberDeposit
Account
Name

☒ Charge Any Additional
Fee Required Under 37
CFR 1.16 and 1.17

☐ Charge the Issue Fee Set in 37
CFR 1.16 at the Making of the
Notice of Allowance, 37 CFR
1.311(b)

2. ☐ Payment Enclosed:

☒ Check ☐ Money
Order ☐ Other

FEE CALCULATION (fees effective 10/01/96)

1. FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	770	201	385	Utility filing fee	
106	320	206	160	Design filing fee	
107	530	207	265	Plant filing fee	
108	770	208	385	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. CLAIMS

	Extra	Fee from below	Fee Paid
Total Claims	20 =	X	
Independent Claims	3 =	X	
Multiple Dependent Claims		X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	22	203	11	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	250	204	130	Multiple dependent claim
109	30	209	40	Reissue independent claims over original patent
110	22	210	11	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,460	147	2,460	For filing a request for reexamination	
112	900	112	900	Requesting publication of SIR prior to Examiner action	
113	1,790	113	1,790	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	390	216	195	Extension for response within second month	
117	930	217	465	Extension for response within third month	
118	1,470	218	735	Extension for response within fourth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	250	221	130	Request for oral hearing	
138	1,470	138	1,470	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,290	241	645	Petition to revive unintentionally abandoned application	
142	1,290	242	645	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	550	244	325	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
125	230	125	230	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
145	770	245	385	Filing a submission after final rejection (37 CFR 1.129(a))	
143	770	243	385	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					

SUBTOTAL (3) (\$)

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or
Printed Name

David S. MacKenzie

Signature

David S. MacKenzie

Date

2-15-2000

Complete (if applicable)

Reg. Number

Deposit Account
User ID

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10571 U.S. P.T.O. 09/51498

02/28/00

PLANT COLOR CODING SHEET <i>(to be used for new applications only)</i>				Attorney Docket Number	
				First Named Inventor	Christopher B. Howe
				FOR OFFICIAL USE ONLY	
Date of Receipt					
Application Number					
Sheet	/	of	/		

PLEASE LIST THE ITEM TO WHICH COLOR IS A DISTINGUISHING FEATURE, THE COLOR CODE WHICH BEST REPRESENTS THAT PLANT STRUCTURE AND THE COLOR CODE SYSTEM.

ITEM	COLOR
Color Codes correspond to The Royal Horticultural Society Color Chart.	
Young leaves-middle of leaves	light green 129-C
Young leaves-margin of leaves	green-white 157-A
Mature Leaves-middle of leaves	green 129-C
Mature leaves-margin of leaves	green-white 157-A
Young petiole	light green 129-C
Mature petiole	green 128-D
midvein of leaves	light green 130-C
Stems, young and mature	green 128-D
flowers	pink 64-C

COLOR CODE SYSTEM:	The Royal Horticultural society color Chart
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